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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,567	10/17/2003	Kazuo Okada	3022-0022	8957

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EXAMINER

LANEAU, RONALD

ART UNIT	PAPER NUMBER
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3714

DATE MAILED: 11/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/686,567	<b>Applicant(s)</b> OKADA, KAZUO	
	<b>Examiner</b> Ronald Laneau	<b>Art Unit</b> 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>01192005, 01202004</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker (US 6,110,041).

As per claims 1, 4, 8, 11, and 15, Walker discloses a first gaming machine for transmitting/receiving data to/from a server (see fig. 1), comprising: specification value setting means for setting at least one specification value as a control condition for game control (see fig. 3, 330; controller saves the value setting in the memory); transmitting means for transmitting data of a game result to the server (col. 3, line 65 to col. 4, line 5); gaming machine determining means for determining a second gaming machine (fig. 3, 334 or 335); total result data receiving means for receiving from the server data of a total game result achieved by the first gaming machine and the second gaming machine based on the data of the game result transmitted by the transmitting means (see fig. 3, results from playing game in reels 332, 334, 336 are being transmitted using the network of fig. 1); specification value determining means for determining the specification value based on the data of the total game result received by the total result data receiving means (see figs 11a-b; games are played based on player preferences or specification or using the casino preferences or specifications); specification value renewing means for renewing the specification value set by the specification value setting means to the specification

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value determined by the specification value determining means (col. 8, lines 41-51; player can input new values or the machine will transmit the casino preference as the new values).

As per claims 2 and 9, the system of Walker is capable of determining a plurality of gaming machines including the second gaming machine (see fig. 3).

As per claims 3 and 10, Walker discloses a first gaming machine wherein the total result data receiving means receives from the server the data of the total game result and wherein the total game result is achieved by the plurality of gaming machines including the first and the second gaming machines (see fig. 3, results from playing game in reels 332, 334, 336 are being transmitted using the network of fig. 1).

As per claim 5, walker discloses a first gaming machine (332) wherein the gaming machine determining means determines a plurality of gaming machines including the second gaming machine (334) and wherein the first gaming machine transmits and receives data to and from the plurality of gaming machines (see fig. 3, data are transmitted between gaming reels through controller 330).

As per claim 6, Walker discloses a first gaming machine wherein the receiving means receives data of game results achieved by the plurality of gaming machines including the second gaming machine and wherein the game result totalizing means totalizes a game result achieved by the first gaming machine and the game results achieved by the plurality of gaming machines including the second gaming machines based on the data of the game results of the plurality of gaming machines received by the receiving means so as to calculate the total result (see fig. 3, all results from all the reel machines are transmitted using a network).

As per claim 7, Walker discloses a first gaming machine comprising gaming machine selecting means for selecting the second gaming machine based on an operation by a game player, wherein the gaming machine determining means determines the second gaming machine based on a selection result by the gaming machine selecting means (see fig. 3, data are transmitted between gaming reels through controller 330).

As per claim 12, Walker discloses a gaming machine that performs determining at least one gaming machine other than the second gaming machine (see fig. 3, 332, 334).

As per claim 13, Walker discloses a program wherein the computer of the first gaming machine performs receiving from the server data of the total result totalizing a game result achieved by the at least one gaming machine other than the second gaming as well as the game results achieved by the first and the second gaming machines (see fig. 3, results form playing game in reels 332, 334, 336 are being transmitted using the network of fig. 1).

As per claim 14, Walker discloses a first gaming machine wherein the specification value comprises a payout (col. 5, lines 12-14).

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Johnson (US 2005/0085300 A1) discloses a closed-loop system that allows the operator of video gaming machines or other systems to define promotional events for the particular machines or systems, monitor the activity of the particular machines or systems, and grant awards.

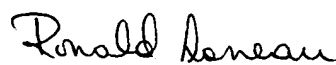
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- Hattori (US 2006/0111186 A1) discloses a gaming system, game server and gaming machine.
- Rowe (US 2002/0138594 A1) discloses a wide area program distribution and game information communication system.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (571) 272-6784. The examiner can normally be reached on 7:30 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Ronald Laneau  
Primary Examiner  
Art Unit 3714

10/31/06